

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
)
v.) CRIMINAL NO.: 05-10093-PBS
)
)
JAMES LEWIS)
)
)
Defendant)

DISCLOSURE AND PROTECTIVE ORDER

Upon consideration of the government's Motion for a disclosure and protective order in connection with the production of individually identifiable taxpayer information to the defendant, it is hereby:

ORDERED that the government shall comply with the Jencks Act (Title 18, U.S.C. § 3500) and Rule 16 of the Federal Rules of Criminal Procedure and produce to the defendant's counsel any and all materials subject to discovery; and,

FURTHER ORDERED that all parties shall keep individually identifiable tax payer information strictly confidential and shall only disclose that information to the taxpayer himself or herself, the parties, the parties' attorneys, staff, consultants, investigators, experts and other witnesses, only as necessary for preparation and defense of the case; and,

FURTHER ORDERED that individually identifiable taxpayer information shall not be entered into the public record, either in pleadings or in open Court, unless individual taxpayer identifiers are redacted, submitted under seal, or blind coded to protect taxpayer identities from unnecessary public disclosure, unless the Court otherwise allows for good cause shown; and

FURTHER ORDERED that at the conclusion of this litigation, including all appeals, all individually identifiable taxpayer information shall be returned to the United States

Attorney's Office, or destroyed at the direction of the United States Attorney's Office; and,

FURTHER ORDERED that as to all persons who are provided access to individually identifiable taxpayer information in connection with the preparation and defense of this matter, counsel of record shall advise each of these persons of the privacy and confidentiality of such information and their obligation not to disclose the information, and require such person to sign a copy of this Order to affirm their understanding of their obligation not to disclose the information before such information is disclosed; and,

FURTHER ORDERED that counsel of record shall maintain copies of this Order which have been signed by all persons who have been provided access to individually identifiable taxpayer information until the conclusion of this litigation, including all appeals.

So Ordered:

MARIANNE B. BOWLER
UNITED STATES MAGISTRATE JUDGE

Dated: